ORDINANCE NO. 98-18

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE FUTURE LAND USE ATLAS SERIES OF THE LAND USE ELEMENT; ADOPTING A SMALL SCALE DEVELOPMENT AMENDMENT; MODIFYING FUTURE LAND USE ATLAS PAGE 94 BY CHANGING A 3.86 ACRE PARCEL OF LAND GENERALLY LOCATED ON THE SOUTHWEST CORNER OF THE INTERSECTION OF WOOLBRIGHT ROAD AND JOG ROAD, FROM LOW RESIDENTIAL 3 (LR-3) TO COMMERCIAL LOW WITH AN UNDERLYING LOW RESIDENTIAL 3 (CL/3); AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, Section 163.3187(1)(c), Florida Statutes, provides comprehensive plan amendments directly related to small scale development activity may be made by local governments without regard to statutory limits regarding the timing and frequency of plan amendments; and

WHEREAS, Section 163.3187(1)(c)4, Florida Statutes, provides that small scale development amendments require only one public hearing before the governing board which shall be an adoption public hearing; and

WHEREAS, a property owner has initiated an amendment to the Future Land Use Atlas of the 1989 Comprehensive Plan; and

WHEREAS, the proposed amendment meets the criteria of a small scale development amendment per Section 163.3187(1)(c), Florida Statutes; and

WHEREAS, the Palm Beach County Local Planning Agency conducted a public hearing on April 24, 1998, to review the proposed amendment to the Palm Beach County Comprehensive Plan and made a recommendation regarding the proposed amendment to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes at the conclusion of the public hearing; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, to review the recommendation of the Local Planning Agency; and

WHEREAS, the Palm Beach County Board of County Commissioners has determined that the amendment complies with all requirements of the Local Government Comprehensive Planning and Land Development Regulation Act.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

Part I. Amendment to the Future Land Use Atlas of the Land Use Element of the 1989 Comprehensive Plan

An Amendment to the Land Use Element's Future Land Use Atlas of the Palm Beach County 1989 Comprehensive Plan, is hereby adopted as follows:

A. Future Land Use Atlas page 94 is amended as follows:

Application No.: 98 - SCA 94 COM 1 (KAHLERT/WOOLBRIGHT)

Amendment: From 3.86 acres of Low Residential 3 (LR-3) to Commercial Low with an underlying Low Residential 3 (CL/3).

General Location: The southwest corner of the intersection of Woolbright Road and Jog Road.

Size: 3.86 acres

Part II. Effective Date

This amendment shall not become effective until 31 days after adoption. If challenged within 30 days after adoption, this amendment shall not become effective until the state land planning agency or the Administration Commission, respectively, issues a final order determining the amendment is in compliance.

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, on the 28 day of May, 1998.

DOROTHY H. WILKEN

By: _____
Deputy Clerk

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

By: _____
Chairman

BOARD OF COUNTY COMMISSIONERS PALM BEACH COUNTY FLORIDA

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

_____
COUNTY ATTORNEY

Filed with the Department of State on the 5th day of June, 1998.

J:\PLANOLD\CURRENT\SCA\KAHWOOL.ORD

EXHIBIT 1

LEGAL DESCRIPTION:

The East half (E1/2) of the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 34, Township 45 South, Range 42 East, Palm Beach County, Florida less the right of Way for Jog Road as shown and described in Official Record Book 7542, Page 1212.

EXHIBIT 2

GENERALIZED LOCATION MAP

Future Land Use Atlas page 94 as amended as follows:

Application No.: 98-SCA 94 COM 1 (Kahlert/Woolbright)

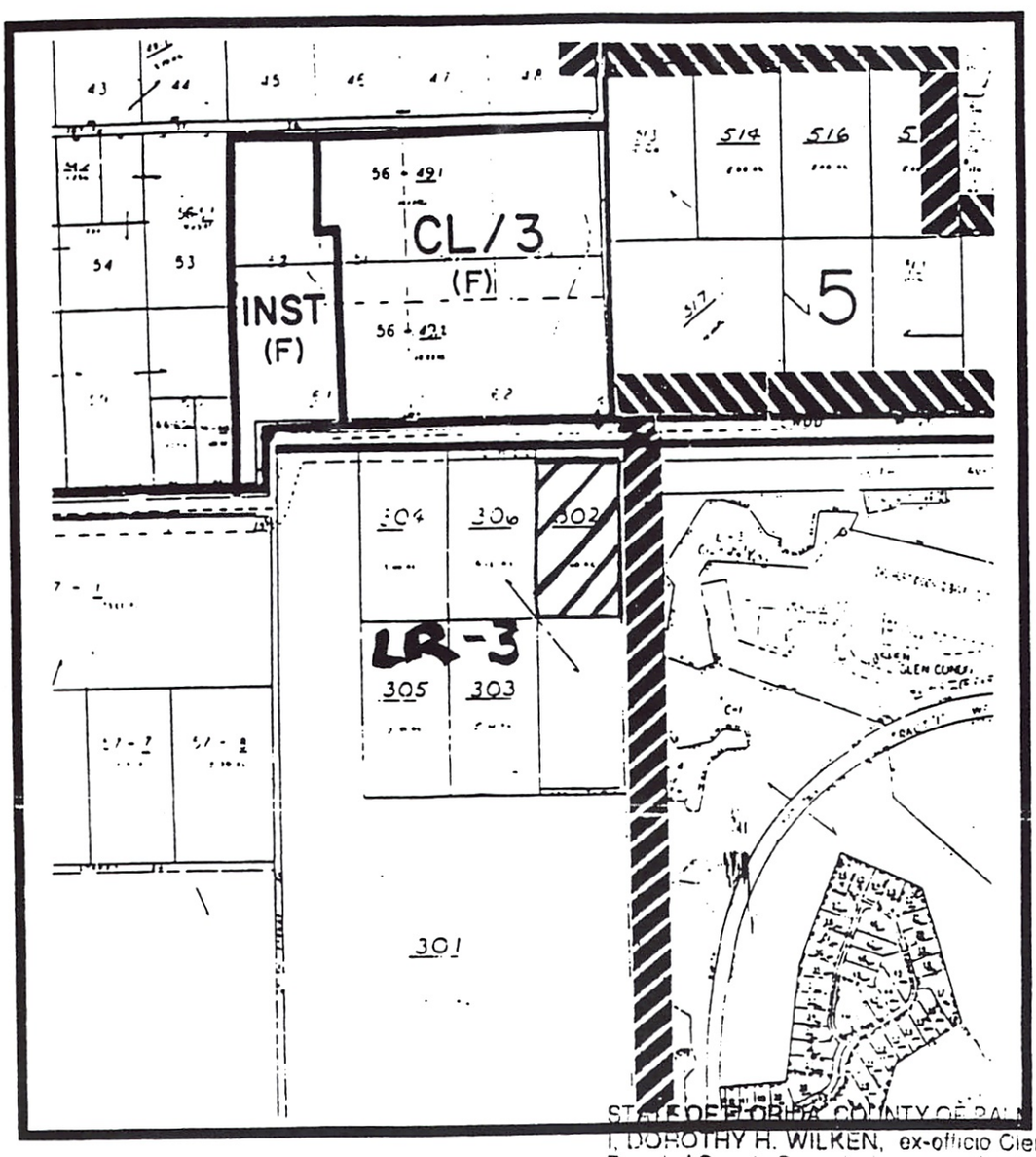
Amendment: Low Residential 3 (LR-3) to Commercial Low with underlying Low Residential 3 (CL/3).

General Location: The Southwest Corner of the intersection of Woolbright Road and jog Road.

Size: 3.86 acres

Legal Description: See Exhibit 1

Property Number: 00-42-45-34-00-000-3020



STATE OF FLORIDA COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the Board of County Commissioners certify this to be a true and correct copy of the original filed in my office on 7/28/98
DATED at West Palm Beach, FL on 6/22/99
DOROTHY H. WILKEN, Clerk
By _____ D.C.

FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM
CODRS CODING FORM

Instructions: Florida's Department of State, Bureau of Administrative Code has developed the County Ordinance Data Retrieval System (CODRS) to facilitate the tracking of County ordinances in Florida's 67 Counties. CODRS' data base is composed of over 25,000 county ordinances enacted since 1974.

We request your cooperation in completing this coding form. It is to be completed whenever your county enacts a new ordinance. Simply complete this form and include it with other pertinent ordinance information that is submitted to the Bureau of Administrative Code.

To code this form properly, please refer to the "keyfields" description sheet that has been given to your County Attorney's Office. If you do not have this sheet please contact the Bureau. We will be happy to fax one to you for referencing purposes. Please fill out this form as completely as is possible.

Thank you for your assistance. Should you need further assistance please contact the Bureau of Administrative Code, Department of State at (904)-488-8427 or Suncom 278-8427.

COUNTY: (Palm Beach) COUNTY ORDINANCE # (98-18)
(e.g., 93 - 001)

PRIMARY KEYFIELD DESCRIPTOR: (Comprehensive Planning)

SECONDARY KEYFIELD DESCRIPTOR: (Land Use Planning)

OTHER KEYFIELD DESCRIPTOR: (_____)

ORDINANCE DESCRIPTION: (Land Use MAP Amendment)
(25 characters maximum including spaces)

ORDINANCES AMENDED: (List below the ordinances that are amended by the this legislation. If more than two, list the most recent two.)

AMENDMENT # 1: (89-17); AMENDMENT # 2: (_____).

ORDINANCES REPEALED: (List below the ordinances that are repealed by this legislation.)

REPEAL # 1: (_____); REPEAL # 3: (_____);
REPEAL # 2: (_____); REPEAL # 4: (_____);

(Others repealed:list all that apply): _____

(FOR OFFICE USE ONLY): COUNTY CODE NUMBER: (__)

KEYFIELD 1 CODE: (_____) KEYFIELD 2 CODE: (_____)

KEYFIELD 3 CODE: (_____) Rev. 8/28/98